

Message Text

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ORIGIN EB-07

INFO OCT-01 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 TRSE-00
OMB-01 /032 R

DRAFTED BY EB/OA/AVP:SCKEITER:JO
APPROVED BY EB/OA:MHSTYLES
EB/OA - MHSTYLES (DRAFT)
L/EB - PMICKEY
NEA/IRN - RBEALES
CAB/BE - JKISER
CAB/BIA -MPETT(DRAFT)
EB/AN - WRILEY
EB/OA/AVP:AJWHITE

----- 055511 /15

R 180223Z DEC 76
FM SECSTATE WASHDC
TO AMEMBASSY TEHRAN

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E.O. 11652: N/A

TAGS: EAIR, IR, US

SUBJECT: CIVAIR - TRANS ATLANTIC FARES

REF : (A) TEHRAN 11136; (B) TEHRAN 11274

1. WHILE THE SECOND IRANIAN NOTE ON NORTH ATLANTIC
FARES APPEARS TO REMOVE ANY CURRENT DISAGREEMENT OVER
FARE LEVELS, DEPT FEELS THAT WE SHOULD REPLY IN ORDER
TO BE ON RECORD AS DISAGREEING WITH THE ASSUMPTIONS ON
WHICH THE IRANIAN NOTES APPEAR TO BE BASED.

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2. THEREFORE, UNLESS EMBASSY SEES OBJECTION, PLEASE
REPLY TO FOREIGN MINISTRY ALONG FOLLOWING LINES:

QUOTE:REFERS TO THE MINISTRY'S NOTES NUMBER 9426/18
AND 9771/18 REGARDING AIR FARES BETWEEN THE UNITED
STATES AND IRAN.

THE EMBASSY IS PLEASED THAT THERE SEEMS TO BE NO FURTHER DISAGREEMENT ON THE LEVEL OF NORMAL ECONOMY FARES BETWEEN THE U.S. AND IRAN FOR THE WINTER SEASON. HOWEVER, TO PREVENT FUTURE MISUNDERSTANDING, IT WISHES TO POINT OUT THAT IN ANY CASE THE U.S.-IRAN AIR TRANSPORT AGREEMENT DOES NOT PROVIDE FOR THE UNILATERAL DETERMINATION OF AIR FARES BY THE AERONAUTICAL AUTHORITIES OF EITHER PARTY, BUT RATHER FOR THE APPROVAL BY THOSE AUTHORITIES OF FARES PROPOSED BY THE AIRLINES. IF THE AUTHORITIES OBJECT TO ANY FARE, THERE MUST BE A TIMELY NOTICE OF DISSATISFACTION, AND EFFORTS TO REACH AGREEMENT BEFORE THE EFFECTIVE DATE MUST BE UNSUCCESSFUL, BEFORE ACTION CAN BE TAKEN AGAINST THE FARE. IATA NOTIFICATIONS CAN IN NO WAY OVERRULE THE AERONAUTICAL AUTHORITIES' DECISIONS.

THE EMBASSY ALSO NOTES THAT ACCORDING TO PARAGRAPH G OF ARTICLE 10 OF THE AGREEMENT, THE AERONAUTICAL AUTHORITIES OF EITHER PARTY MAY PREVENT PROPOSED FARES FROM GOING INTO EFFECT ONLY IF THEY HAVE GIVEN NOTICE OF DISSATISFACTION TO THE OTHER PARTY AT LEAST 15 DAYS PRIOR TO THE PROPOSED EFFECTIVE DATE. UNQUOTE.

3. WE UNDERSTAND THAT PAN AM FILING WAS MADE SEPTEMBER 28, AND THAT THEREFORE THE FIRST IRANIAN NOTE WAS NOT TIMELY. PLEASE CHECK WITH LOCAL PAN AM MANAGER BEFORE INCLUDING LAST PARA OF PROPOSED NOTE.

4. IN CIRCUMSTANCES IT DOES NOT APPEAR ADVISABLE TO LIMITED OFFICIAL USE

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INCLUDE IN THE NOTE A DISCUSSION OF THE FARE ORIGINALLY QUESTIONED. FOR EMBASSY'S INFORMATION:

(A) THE NEW YORK-TEHRAN ECONOMY FARE IS A TWO-SEASON FARE, I.E., THERE WOULD ORDINARILY BE NO CHANGE ON NOVEMBER 1. THE IRANIAN PROPOSAL WOULD ACTUALLY HAVE MADE THE WINTER FARE MORE EXPENSIVE THAN THE SHOULDER ONE, AND WE CAN SEE NO JUSTIFICATION FOR THAT.

(B) THE NOTICE OF DISSATISFACTION REQUESTED BY STATE 255137 WAS BASED IN PART ON OBJECTIONS TO AN IDENTICAL INCREASE PROPOSED BY IRANAIR, IN BOTH DIRECTIONS. CAB ORDER NUMBER 76-10-108 (COPY POUCHED PER STATE 282831) REJECTS ALL INCREASES IN WINTER NORMAL ECONOMY FARES OVER THE LEVELS IN FORCE IN THE WINTER OF 1975-76.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, CUSTOMS DUTIES, DIPLOMATIC NOTES, AIR FARES
Control Number: n/a
Copy: SINGLE
Draft Date: 18 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: SmithRJ
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE306718
Document Source: CORE
Document Unique ID: 00
Drafter: SCKEITER:JO
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760466-0100
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761230/aaaaazjq.tel
Line Count: 114
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 TEHRAN 11136, 76 TEHRAN 11274
Review Action: RELEASED, APPROVED
Review Authority: SmithRJ
Review Comment: n/a
Review Content Flags:
Review Date: 08 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 JUN 2004 by greeneet>; APPROVED <22 OCT 2004 by SmithRJ>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - TRANS ATLANTIC FARES
TAGS: EAIR, IR, US
To: TEHRAN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006